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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
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BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR14-197 RAJ
Plaintiff,)
v.) DETENTION ORDER
HECTOR HERNANDEZ-MORENO,)
Defendant.)

Offenses charged:

Count 1 – Conspiracy to Distribute Controlled Substance:

Methamphetamine, Heroin and Cocaine

Count 2 – Money Laundering

Date of Detention Hearing: July 14, 2014.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

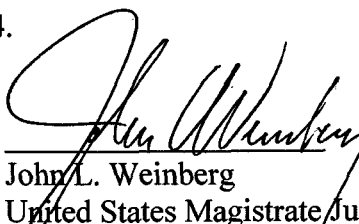
FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) Defendant was born in Mexico, and is a citizen of that country. He contends he is pursuing an application to become a U.S. citizen.
- (2) The United States alleges that his presence in this country is illegal. There is an immigration detainer pending against him. If this court were to order him released on conditions on these charges, he would transfer into immigration custody.
- (3) The charges carry a mandatory minimum penalty of ten years, and a maximum of life imprisonment. There would therefore be a very substantial incentive for defendant to flee, if he were released, despite his ties to family in this area, and his employment in his father-in-law's auto business.
- (4) The United States represents it has dozens of intercepted telephone messages during which defendant arranged drug deals in Snohomish County.
- (5) A law enforcement officer reports finding and seizing at defendant's home a .40 caliber semi-automatic handgun, with a bullet in the chamber, and a box of .40 caliber ammunition. Defendant contests this allegation. The agents also seized \$80,000 in cash from his residence.
- (6) The nature of the charges creates a rebuttable presumption of detention, both for dangerousness and flight risk. Defendant has not effectively rebutted that presumption.
- (7) The court concurs in the recommendation of the pretrial Services Office that defendant be detained.

It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 14 day of July, 2014.


John L. Weinberg
United States Magistrate Judge